

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

ANDREW TOBIAS,

Plaintiff,

v.

FEDERAL GOVERNMENT,

Defendant.

CASE NO. C19-2017JLR

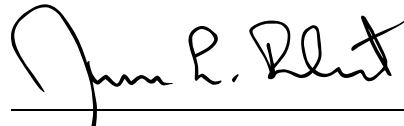
ORDER OF DISMISSAL

On December 13, 2019, the court dismissed *pro se* Plaintiff Andrew Tobias's complaint pursuant to 28 U.S.C. § 1915(e)(2)(B). (*See* 12/13/19 Order (Dkt. # 7).) Even liberally construed, the court determined that "there is no way for the court to discern the nature of Mr. Tobias's claims, or even who he intends to sue, based on his complaint." (*See id.* at 3.) The court granted Mr. Tobias 14 days to amend his complaint. (*See id.* at 4.) The court further stated that if Mr. Tobias failed to file an amended complaint that remedies the complaint's numerous deficiencies, the court would dismiss Mr. Tobias' complaint without leave to amend. (*See id.*)

1 Mr. Tobias failed to file an amended complaint. (*See generally* Dkt.) Instead, Mr.
2 Tobias appealed the court's order dismissing his complaint with leave to amend. (*See*
3 *Not. of Appeal* (Dkt. # 8).) The Ninth Circuit Court of Appeals determined it lacked
4 jurisdiction over Mr. Tobias' appeal because the order challenged in the appeal is not
5 final or appealable. (*See* 9th Cir. Order (Dkt. # 11) at 1.) On that basis, the Ninth
6 Circuit dismissed Mr. Tobias' appeal. (*See id.*; *see also* 9th Cir. Mandate (Dkt. # 12).)

7 Now, more than a month after the Ninth Circuit issued its mandate, Mr. Tobias
8 still has not filed an amended complaint that cures the deficiencies the court identified.
9 (*See generally* Dkt.) Accordingly, the court DISMISSES Mr. Tobias's complaint without
10 leave to amend and DIRECTS the Clerk to close this matter.

11 Dated this 23rd day of April, 2020.

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14 JAMES L. ROBART
15 United States District Judge
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